

United States District Court

Western District Of Washington

Mark Baker

Plaintiff

Vs.

City of Edgewood, et al.

Defendants

Case NO: 3:10-cv-05927-RJB

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MAR 07 2011	
CLERK U.S. DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT TACOMA BY DEPUTY	

Plaintiff's Appeal to the Courts most recent ruling regarding new service.

On March 3<sup>rd</sup>, 2011 shortly after your Honor refused to dismiss the Plaintiffs case, officers from the Edgewood Police and Pierce County Sheriff arrived at the Plaintiff's Edgewood home and forced entry to conduct a four hour search under State issued search warrant for an alleged misdemeanor crime claiming that housing of the homeless is a business.

10 police officers, four forensic technicians, 2 health officers, and 1 building official forced entry into numerous rooms seeking supporting evidence of an illegal business. Chief Knutson ordered the seizure of all Federal lawsuit papers for both this case and another Federal case filed by Lawrence Beaumont filed in the Portland Federal Court. During the course of this search, the Plaintiff's three small dogs were allowed to roam free in the street and when he protested, an officer said, "don't worry, we are going to euthanize them anyway".

Police Chief Knutson also ordered the seizure of all attorney client papers between the Plaintiff Baker and Lawrence Beaumont, for an upcoming misdemeanor case of alleged housing of the homeless claiming it is a business. The Chief also ordered the seizure of all legal materials and word software used to type legal documents. Even legal files were seized which contained copies of the documents that the Plaintiff was to re-serve. Plaintiff, who is terminally ill, had \$500 cash seized which is used to purchase his life sustaining medications and which was from his monthly government check. Police also emptied the wallet of the Plaintiff's Caregiver and domestic partner of 32 years and who is also terminally ill and poor seizing about \$100 without placing it on the property seized inventory sheet.



10-CV-05927-LTR

The Plaintiff alleges that this act was done to prevent the Plaintiff from responding to your Honors order requiring the Plaintiff to re-serve the Defendants otherwise the case would be dismissed later this month. Defendants deliberately fabricated statements to the search warrant issuing court so as to obtain the warrant under color of legal authority to confiscate legal documents needed to further this case.

The Plaintiff requests the following:

1. That the Court order the return of all legal documents pertaining to this legal case and to the case filed by a Lawrence Beaumont seized during the search.
2. That the court order the return of all word processing software.
3. That the court order the return of all attorney-client documents, including emails for any active legal case.
4. That the court waive the service requirement as punishment for the police act and rule that service has been made or that the time calculations for re-service not begin until all seized documents are returned.
5. That the Plaintiff be permitted to modify his claim for damages to the following due to the Defendants conduct in and through Edgewood Police:
  - a. 5.1 of the original claim; 8 million dollars
  - b. 5.3 of the original claim; 20 million dollars
  - c. 5.5 of the original complaint; 70 million dollars
  - d. 5.6 of the original complaint; that the court order damages currently suffered in addition to previously requested.
  - e. 5.7 of the original complaint; that the court order punitive damages of 3 million dollars for their acts.
  - f. That the court review and reconsider appointment of counsel to the Plaintiff regardless of Appeal status on this matter.
  - g. That the court punish the Defendants for acts under which they had control over the parties committing the offense.
  - h. Plaintiff fears that Police Chief Knutson will do deadly harm to him as an act of retaliation for the filing of this lawsuit and requests that the Court issue an order for him to have no further contact with the Plaintiff.
  - i. That the Court notify and request an investigation by the Department of Justice of continued civil rights violations.
  - j. Plaintiff can now prove a pattern of police and city official misconduct under the color of law conducted to deprive the Plaintiff of his right to justice before this court and requests that a hearing be established to present the same to the Court with either court appointed attorney assistance or by the court allowing assistance from a caregiver.
  - k. In the event that the Plaintiff and/or Beaumont are arrested under the color of legal or illegal authority or by legal or illegal arrest of any person giving assistance to the Plaintiff in case preparation, then the Plaintiff requests that all legal research materials,

necessary paper, writing instruments, and any other thing be provided to the arrested person so as to allow this case to move forward. Such requests includes adding the person onto any requirement for service of papers to them in addition to the plaintiff. Such request is made because the Defendants are in control over the Local Police Chief, a Pierce County Sheriff who has ties to the local jail.

- I. That the Court issue a writ of Habeas corpus to the Pierce County Sheriff for the Plaintiff and Lawrence Beaumont in the event Plaintiff is missing any court hearing, please issue a writ for both the Plaintiff and Beaumont in the event that any court hearing is missed as evidenced by the Plaintiff's failure to show out of concern for the Plaintiff's and others safety. In the event such an arrest shall occur, then it is requested that Plaintiff and or Beaumont be held in Federal Protection for safety concerns.
  - m. That the Court after hearing testimony on this matter issue arrest warrants for all persons depriving the Plaintiff and others within the home of their constitutional rights, including to those having knowledge of the acts and in a position of control to stop them.
  - n. That the court rule by default judgment for the Plaintiff and grant all relief requested notwithstanding any other request from above.
6. It is clear that the Defendants seek to deprive the Plaintiff of his day in court and are using unconstitutional means under the color of legal authority to accomplish their goal.

This document was typed on behalf of the Plaintiff who is unable by his disability to do so himself.



Mark A. Baker, Plaintiff, pro-se

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